

**Town of Kinderhook
Planning Board Meeting
3211 Church Street
Valatie, NY 12184
August 15, 2013**

Approved

Minutes

The Meeting of the Town of Kinderhook Planning Board was held on Thursday, August 15, 2013 beginning at 7:02pm at the Kinderhook Town Hall, 3211 Church Street, Valatie, NY. The meeting was called to order by the Chairwoman, Mary Keegan-Cavagnaro. The Roll was taken by the Secretary.

A. Roll Call

Present:

Mary Keegan-Cavagnaro, Chairwoman
Andrew Howard, Town Attorney
Patrick Prendergast, Engineer
Chris Simonsen
Daniel Weiller
Dale Berlin
Jake Samascott
William Butcher
Cheryl Gilbert
Nataly Dee, Secretary

Excused:

Peter Haemmerlein
Guy Rivenburgh

Absent:

None

B. Correspondence

1. Review of Minutes:

July 11, 2013 – Workshop
July 18, 2013 - Meeting

Approval of the minutes was tabled pending further review and corrections. A number of corrections were noted and will be made.

C. Public Hearings

1. Club Life: Sports Zone –

The notice as it appeared in the newspaper was read by the secretary. The secretary noted for the record that two calls were received from the neighbors that were notified. Neither had any objections to the proposed project.

A motion to open the Public Hearing was made by Mr. Simonsen, Motion seconded by Mr. Berlin. All in favor. Motion carried; Hearing opened.

Mr. VanAlstyne addressed the Board and distributed revised plans. William Better was also in attendance representing the applicant. Mr. Van Alstyne addressed the issue of the lighting indicating updates to the lumens at the intersection of the entrance. He relayed what the lighting contractor stated about the questions posed to him regarding lighting. LED lighting on 14' posts were proposed, cut sheets were provided. Notes were added to the plans regarding landscaping and trees. Additionally, calculations about use in relation to parking were added. Dimensions were also noted. To date, the applicant has not received a formal recommendation from Mr. Visconte of the Department of Transportation. Mr. Prendergast offered he had recently spoken with Mr. Visconte, who indicated that he had received the information from the applicant and was planning on requesting additional information about vehicle trips and hourly flows for the overall use of the complex. Mr. Better expressed the concern that Club Life has no control of the existing traffic patterns of the existing business already in operation at the complex. He did offer that Mr. VanAlstyne collected data at certain times on a given day noting the number of cars in the parking lot. Results indicated that there were no more than 60 cars on site an any given time. Additionally, he noted that historically, this was a facility that employed 120

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people. Mr. Better offered that he could provide the hours of operation of the proposed facility and use that to estimate the associated trip traffic. Mr. Simonsen expressed his concern that the last time (2004?) an applicant from this complex was before the Board similar issues were raised. He is concerned about granting a conditional approval and wants to be certain that DOT is satisfied prior to approval. Mr. Prendergast recollected that when the complex was initially converting to multi use retail, there was discussion of the site line of the parking lot lighting. Originally, it was suggested that lights would be installed close to the parking that was currently being used and then when more businesses developed another row of lighting would be installed. Mr. Prendergast was of the opinion that the two existing lights appear to be a little dim. Additionally, he noted that most commercial business do have lights at the entrance.

A motion to close the Public Hearing was made by Mr. Berlin. Motion seconded by Mr. Simonsen. All in favor. Motion carried; Hearing closed.

The floor was opened to the Board for questions and comments. Mr. Weiller inquired about the number of prospective patrons and hours of operation of the facility. Mr. Better made statements speculating the proposed number of patrons, but he did not know the proposed hours of operation. He did note that this was a seasonal operation in nature with winter months representing the heaviest use. Mr. Butcher commented that he hoped the applicant was going on more than just a hunch and had a business plan that addresses the need for a certain volume of patronage to make the business viable. Mr. Better offered that there is the hope that the CoArc patrons at the complex would use the facility for a physical education program. Mr. Prendergast asked if the parking spots indicated would be painted or if the whole lot would be repainted. Clarification was provided by Mr. VanAlstyne regarding the existing parking and the new, stating that the new spaces would be painted. Mr. Prendergast hoped that the double yellow line down the lot would be repainted as it is almost entirely faded.

The Short Form Environmental Review (SEQR) was reviewed by the attorney.

Mr. Griesemer Noted that **Part I**, # 9 regarding present land use should also include Commercial.

Part II:

A. DOES ACTION EXCEED ANY TYPE 1 THRESHOLD IN 6 NYCRR, PART 617.4?

No.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.4?

No.

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems?

No. However, perhaps existing traffic.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?

No.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species?

No.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?

No.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action?

None.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5?

None.

C7. Other impacts (including changes in use of either quantity or type of energy)?

None.

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D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL ARE (CEA)?
No.

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
No.

A motion of Negative Declaration was made by Mr. Butcher. Motion seconded by Mr. Berlin. All in favor. Motion carried; declaration made.

A motion that the application is complete and to approve the application conditioned upon the satisfactory review and recommendations of the Department of Transportation regarding the lighting as well as the recommendations of the County Planning Board was made by Mr. Samascott. Satisfactory review from DOT would entail no additional lighting or changes to the entrance to the complex. If additional information is requested from DOT, the plans will not be stamped by the Chairwoman until such time as those conditions have been satisfactorily met. Motion seconded Mr. Berlin. The vote was as follows:

<u>In Favor</u>	<u>Opposed</u>
Mr. Butcher	Mr. Simonsen
Ms. Keegan-Cavagnaro	Ms. Gilbert
Mr. Berlin	Mr. Weiller
Mr. Samascott	

Motion carried. Application conditionally approved.

The issue of fees was addressed. \$400 was determined to be due from the applicant.

D. Old Business

- 1. Laguesse – Site Plan Review – 3340 US Route 9

No one was in attendance to represent this application.

- 2. Henry Kazer: Major Subdivision on County Route 28 and Orinsekwa Road

No one was in attendance to represent this application.

- 3. Russell Beck: Change of Use. Old Toyota of Kinderhook on Route 9H

No one was in attendance to represent this application.

- 4. Former Kinderhook Bank (Owner David Raihofer): Site Plan Review for addition to building

No one was in attendance to represent this application.

- 5. Dollar General: Site Plan Review – US Route 9

No one was in attendance to represent this application.

E. New Business

None.

F. ZBA Opinions

None

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G. Liaisons

1. Village Planning Boards: A new trustee was appointed to the Valatie Village Board.
2. Town Board: Nothing new to report at this time.
3. Comprehensive Plan Review Committee: Public Hearing set for September 9, 2013.
4. NYSEG Project: Nothing new to report at this time.

H. Other

1. Public Comment

None.

A Motion to adjourn the meeting was made by Mr. Simonsen. Motion seconded by Ms. Gilbert. All in favor; motion carried. Meeting adjourned at 7:50pm.

Respectfully submitted,

Nataly Dee, Secretary